

REMARKS

After entry of this Amendment, claims 1-10, 12-18, and 20-25 are pending in this application. Claims 1, 2, 5-10, 12, 13, 17, and 20-22 and the specification are amended and claims 23-26 are added without introduction of new matter. Non-limiting support for claims 2 and 9 is provided at least by Applicant's disclosure at paragraphs 110-113. Non-limiting support for the remaining amended claims and added claims is self-evident or provided below.

The specification stands objected to as failing to define acronyms, including the acronyms "LIA" and "PMA." The acronyms "LIA" and "PMA" are respectively defined by paragraphs 166 and 167 of the specification as a "lead-in area (LIA)" and "program memory area (PMA)." Applicants have not located any instances in which an acronym is not defined. Accordingly, Applicants respectfully request that this objection be withdrawn.

Claim 19 stands rejected to under 35 U.S.C. 101 as reciting a computer program per se. Claim 19 is canceled. Accordingly, Applicants respectfully request that this rejection be withdrawn.

Claims 1, 5, 11, 19, and 20 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 7,027,717 to Tsujii. This rejection is respectfully traversed.

Independent claim 1 recites a "method for authenticating a recording medium, the method comprising the steps of: acquiring, from the recording medium, a first set of a first type of unique data that is recorded on an information track on the recording medium in accordance with a predetermined rule; acquiring, from the recording medium, a second set of the first type of unique data that is recorded on the recording medium in accordance with the predetermined rule; and authenticating the recording medium based on a comparison of the first and second sets of the first type of unique data acquired in the data acquisition steps." Claims 5 and 19 depend from claim 1.

Independent claim 20 recites a "computer readable recording medium storing a computer program for causing a computer to perform an instruction for authenticating a recording medium, the instruction comprising the steps of: acquiring, from the recording medium, a first set of a first type of unique data that is recorded on an information track on the recording medium in accordance with a predetermined rule; acquiring, from the recording medium, a second set of the first type of

unique data that is recorded on the recording medium in accordance with the predetermined rule; and authenticating the recording medium based on a comparison of the first and second sets of unique data acquired in the data acquisition steps.”

Non-limiting support for the amended language of claims 1 and 20 is provided by at least Applicants’ Figures 8-11 and their written description, which disclose the recording of control Ctrl information (e.g., 4 (=0100) for fixed-packet size recordings (FP); 5 (=0101) for variable packet size recordings (VP)) and track descriptor TDU information (e.g., 80 (=1000-0000) for FP; 90 (=1001-0000) for VP) in different regions of a compact disc track. Applicant’s disclosure, paras. 97-104. The control Ctrl and track descriptor TDU information are compared during an authentication process to confirm the recorded information has been legally copied. Applicant’s disclosure, paras. 110-113.

Tsujii does not teach or suggest the recited steps of recording first and second sets of unique data on the same recording medium in accordance with a predetermined rule, and then authenticating the recording medium based on a comparison of the first and second sets of unique data. Rather, Tsujii teaches the use of a disc ID to correspond real data and reference information stored on different devices. Col. 15, line 48 – col. 16, line 37. Accordingly, in view of at least this distinction, Applicants respectfully request that this rejection be withdrawn.

Claims 2-4, 9, and 10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tsujii in view of U.S. Patent No. 6,073,189 to Bounsall. As Bounsall does not address (nor is cited as addressing) the above deficiency of Tsujii, Applicants respectfully request that this rejection be withdrawn.

Claims 6-8 and 12-18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tsujii in view of U.S. Patent No. 6,917,574 to Kawashima. As Kawashima does not address (nor is cited as addressing) the above deficiency of Tsujii, Applicants respectfully request that this rejection be withdrawn.

Claims 21 and 22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tsujii in view of U.S. Patent No. 5,745,459 to Inokuchi. As Inokuchi does not address (nor is cited as

addressing) the above deficiency of Tsujii, Applicants respectfully request that this rejection be withdrawn.

New claims 23-26 are added by this Amendment. Non-limiting support for claims 23-26 is at least provided by Applicants' Figure 4A and its written description. Applicants respectfully submit that claims 23-26 are patentable at least in view of their dependency on claims 1 and 20-22.

As all outstanding issues are addressed by this response to the outstanding Office Action, favorable reconsideration and allowance are solicited. If, however, there are remaining issues which can be addressed by a discussion with Applicant's representative, the Examiner is respectfully requested to contact the undersigned attorney, Steven Dickey, at (202) 420-4756. Further, if there are any additional charges in connection with this filing, the Examiner is respectfully requested and authorized to charge Deposit Account No. 04-1073 therefor under Order No. R2180.0194/P194.

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Respectfully submitted,

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